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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,039	03/07/2001	Travis J. Parry	10007468-1	2765

7590

08/12/2004

HEWLETT-PACKARD COMPANY
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EXAMINER

JELINEK, BRIAN J

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 08/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/802,039

Applicant(s)

PARRY, TRAVIS J.

Examiner

Brian Jelinek

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This is a first office action in response to application no. 09/802,039 in which claims 1-31 are presented for examination.

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Claim Objections

Claim 19 is objected to because of the following informalities: there is insufficient antecedent basis for the limitation in the claim.

Claim 19 recites the limitation "the user" in line 4 of the claim. Appropriate correction is required.

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

20

Claims 1-2, 6-9, 11-12, 14, 16-18, 20-22, 25-27, and 29-31 are rejected under 35

U.S.C. 102(e) as being anticipated by Bowden, III et al. (U.S. Pat. No. 6,717,567).

Regarding claim 1, Bowden, III et al. teaches a digital picture frame comprising: a wireless component configured to receive, from a source, a digital image via a wireless

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transfer (col. 2, lines 30-32); a memory, coupled to the wireless component, to store

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received digital image (col. 2, lines 44-49); and a display device, coupled to the memory, to display the stored digital image (col. 2, lines 33-34 and lines 44-49).

Regarding claim 2, Bowden, III et al. teaches a controller (processor), coupled to the memory, configured to identify which of a plurality of images stored in the memory
5 are to be displayed on the display device (col. 3, lines 50-58).

Regarding claim 6, Bowden, III et al. teaches a controller (processor), coupled to the wireless component, configured to receive a new digital image request (interrupt) from a wireless device external to the digital picture frame (col. 2, lines 35-41), and to manage reception of the new digital image from the wireless device (col. 2, lines 34-35;
10 Fig. 4; col. 3, line 59-col. 4, line 16).

Regarding claim 7, Bowden, III et al. teaches a source comprises a digital camera (col. 3, lines 5-10).

Regarding claim 8, Bowden, III et al. teaches a source comprises a personal digital assistant (palm computer) (col. 3, lines 5-10).

15 Regarding claim 9, Bowden, III et al. teaches the wireless component comprises a wireless receiver (Fig. 3, element 102; col. 2, lines 31-32).

Regarding claim 11, Bowden, III et al. teaches a controller, coupled to the memory, configured to manage storage and retrieval of a plurality of digital images in the memory (col. 2, lines 44-49; col. 3, lines 50-58).

20 Regarding claim 12, Bowden, III et al. teaches a controller is further configured to manage storage and retrieval of the plurality of digital images by executing one or more control modules stored in memory (col. 2, lines 34-35; col. 2, lines 44-49; col. 3, lines 50-58).

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Regarding claim 14, Bowden, III et al. teaches a method implemented in a digital picture frame, the method comprising: receiving a request (interrupt) for a new digital picture (col. 3, lines 59-64); receiving the new digital picture via a wireless transfer (col. 2, lines 31-32); and saving the new digital picture in a memory of the digital picture frame (col. 2, lines 44-46; Fig. 4).

Regarding claim 16, Bowden, III et al. teaches receiving a new digital picture comprises receiving the new digital picture via a wireless transfer (col. 2, lines 31-32) from a digital image source external to the digital picture frame (col. 3, lines 5-10).

Regarding claim 17, Bowden, III et al. teaches a digital image source comprises a digital camera (see the 102 rejection of claim 7).

Regarding claim 18, Bowden, III et al. teaches displaying a new digital picture on a display of the digital picture frame (col. 4, lines 4-10).

Regarding claim 20, Bowden, III et al. teaches receiving a request (interrupt) comprises receiving a request for a new digital picture from a digital image source external to the digital picture frame (col. 3, lines 59-64).

Regarding claim 21, Bowden, III et al. teaches a digital image source comprises a digital camera (see 102 rejection of claim 7).

Regarding claim 22, Bowden, III et al. teaches a wireless updateable digital picture frame (col. 2, lines 30-36; col. 3, line 59-col. 4, line 10).

Regarding claim 25, Bowden, III et al. teaches a controller (processor) receives a request (interrupt) for a new digital picture (col. 2, lines 36-41); and manages reception of a new digital picture from a digital picture source via a wireless transfer (col. 2, lines 30-36). Bowden, III et al. does not explicitly teach that the controller executes a plurality of

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stored instructions to perform the above operations from a computer readable media.

However, it is an inherent feature of a microcomputer processor, as taught by Bowden, III et al., that any operation executed by the microcomputer processor must at some point be stored as microcomputer instructions inside of the microcomputer processor. As a
5 result, it is inherent in the microcomputer process of Bowden, III et al. that a plurality of instructions executed by the processor are stored in a computer readable media.

Regarding claim 26, Bowden, III et al. teaches managing reception of a new digital picture from a digital camera via a wireless transfer (see the 102 rejection of claim 25; col. 3, lines 5-10).

10 Regarding claim 27, Bowden, III et al. teaches a controller receives a request (interrupt) for a new digital picture from a digital camera via a wireless connection (col. 2, lines 35-41; col. 3, lines 5-10). Bowden, III et al. does not explicitly teach a plurality of instructions direct the operations of the controller. However, since the controller is a microcomputer processor, it is inherent that execution of a plurality of microcomputer
15 instructions are necessary in order to perform high level tasks, such as receiving communications requests.

Regarding claim 29, Bowden, III et al. teaches a digital picture frame comprising: means for displaying a digital image; and means, coupled to the means for displaying, for receiving the digital image from an external source via a wireless communication (col. 2,
20 lines 30-41).

Regarding claim 30, Bowden, III et al. teaches the external source comprises a digital camera (see the 102 rejection of claim 7).

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Regarding claim 31, Bowden, III et al. teaches the means for receiving further comprises means for receiving a request (interrupt) for a digital image from a digital camera (col. 3, lines 59-64; col. 3, lines 5-10).

5 ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, 10, 13, 15, 19, and 28 are rejected under 35 U.S.C. 103(a) as being
15 **unpatentable over Bowden, III et al. (U.S. Pat. No. 6,717,567) in view of Johanson et al. (U.S. Pub. No. 2003/0018744).**

Regarding claim 3, Bowden, III et al. teaches a controller, coupled to both a wireless component and a display device (Fig. 3; col. 2, lines 34-38). Bowden, III et al.
20 does not teach that the controller is configured to present on the display device a plurality of wireless devices that are currently within communications range of the digital picture frame.

However, Johanson et al. teaches a communications method for an electronic device; in particular, the electronic device communicates with all nearby electronic
25 devices in range and then displays each device for a user to select one with which to communicate (Paragraph 0015). One of ordinary skill in the art would have provided the

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capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a printer) (Paragraphs 0007 and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a printer).

Regarding claim 4, Bowden, III et al. teaches a controller (processor) is configured to allow a digital image to be received wirelessly (col. 2, lines 30-36). Bowden, III et al. does not teach selecting one of a plurality of wireless devices.

10 However, Johanson et al. teaches a communications method for an electronic device; in particular, the electronic device communicates with all nearby electronic devices in range and then displays each device for a user to select one with which to communicate (Paragraph 0015). One of ordinary skill in the art would have provided the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a scanner) (Paragraphs 0007 and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a scanner).

20 Regarding claim 5, Bowden, III et al. teaches transferring pictures to a digital picture frame (col. 2, lines 30-41). Bowden, III et al. does not teach a user-actuatable mechanism, coupled to the wireless component, and wherein actuation of the user-

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actuatable mechanism initiates a transfer of a new digital image to the digital picture frame.

However, Johanson et al. teaches a communications method wherein a user selects a second electronic device from a display on a first electronic device (Fig. 2, elements 37, 36, and 40; Paragraph 0015); in particular, the user may select a scanner, as the second device, with which to communicate wirelessly (Paragraph 0017). One of ordinary skill in the art would have provided the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a scanner) (Paragraphs 0007 and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a scanner).

Regarding claim 10, Bowden, III et al. teaches a wireless component comprises a wireless receiver (Fig. 3, element 102), but does not teach that the wireless component also comprises a wireless transmitter.

However, Johanson et al. teaches a wireless device comprises both a wireless receiver and a wireless transmitter (Fig. 1, element 12). One of ordinary skill in the art would provide an electronic device, such as a digital picture frame, with a transmitter in order communicate with other electronic devices (e.g, a printer) (Paragraphs 007 and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide an electronic device, such as a digital picture frame, with a transmitter in order communicate with other electronic devices (e.g, a printer).

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Regarding claim 13, Bowden, III et al. teaches a wireless picture frame displaying an image from memory (Fig. 3, element 110; col. 3, lines 46-58). Bowden, III et al. does not teach the wireless component is further configured to transmit a digital image.

However, Johanson et al. teaches an electronic device with a wireless component
5 configured to communicate with another source external to the electronic device (e.g. a printer) (Paragraphs 0015 and 0017). One of ordinary skill in the art would have provided an electronic device, such as a digital picture frame, with a transmitter in order to communicate with another electronic device (e.g., a printer) (Paragraphs 0007 and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of
10 the invention to provide an electronic device, such as a digital picture frame, with a transmitter in order to communicate with another electronic device (e.g., a printer).

Regarding claim 15, Bowden, III et al. teaches a digital picture frame automatically transfers and displays a digital image from memory after receiving an interrupt (col. 2, lines 30-49; and col. 3, line 59-col. 4, line 10). However, Bowden, III et
15 al. does not teach receiving a request to transfer a new digital picture from memory; and transmitting the new digital picture to an external device.

However, Johanson et al. teaches a first electronic device enables a user to request communication with an external device (e.g., a printer) by selecting the external device from a displayed list of all nearby devices on the first electronic device. One of ordinary
20 skill in the art would have provided a first electronic device capable of receiving a user request to communication with an external device for the purpose of communicating with a nearby printer (Paragraphs 0015, 0007, and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide a first

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electronic device capable of receiving a user request to communication with an external device for the purpose of communicating with a nearby printer.

Regarding claim 19, Bowden, III et al. does not teach displaying a plurality of wireless devices that are within a wireless communications range of a digital picture frame; and allowing a user to select one of the plurality of wireless devices from which a new digital picture is to be received.

However, Johanson et al. teaches a communications method for an electronic device; in particular, the electronic device communicates with all nearby electronic devices in range and then displays each device for a user to select one with which to communicate (Paragraph 0015). One of ordinary skill in the art would have provided the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a scanner) (Paragraphs 0007 and 0017). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the capability to display and select other nearby wireless devices in order to allow a user to choose another device with which to communicate (e.g., a scanner).

Regarding claim 28, Bowden, III et al. teaches a controller (processor) for wirelessly receiving digital images from a device external to a digital picture frame (col. 2, lines 30-36). Bowden, III et al. does not teach transmitting a digital picture.

However, Johanson et al. teaches an electronic device with a transmitter configured to communicate with another source external to the electronic device (e.g. a printer) (Paragraphs 0015 and 0017). One of ordinary skill in the art would have provided an electronic device, such as a digital picture frame, with a transmitter in order

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communicate with another electronic device (e.g., a printer) (Paragraphs 0007 and 0017).

As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide an electronic device, such as a digital picture frame, with a transmitter in order communicate with another electronic device (e.g., a printer).

5 Neither Bowden, III et al. nor Johanson et al. explicitly teach a plurality of instructions direct the operations of the controller. However, since the controller is a microcomputer processor, it is inherent that a plurality of microcomputer instructions are necessary in order to perform high level tasks, like transmitting digital pictures wirelessly.

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Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowden, III et al. (U.S. Pat. No. 6,717,567) in view of Khan et al. (U.S. Pat. No. 6,438,575).

15 Regarding claim 23, Bowden, III et al. teaches a wireless component configured to receive a digital image from an external image source via a wireless communication (col. 2, lines 30-32). Bowden, III et al. does not teach that the wireless component is removable.

20 However, Khan et al. teaches a wireless device capable of receiving information (col. 2, lines 17-22) comprising a removable wireless PCMCIA card (col. 12, lines 31-51). One of ordinary skill in the art would have configured the wireless component as being a removable wireless PCMCIA card for the purpose of enhancing the flexibility and functionality of the wireless device by enabling it to connect proximately or remotely via a cellular or modem interface over any combination of air-links and land-lines (col.

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12, lines 31-35). As a result, it would have been obvious to one of ordinary skill in the art at the time of the invention to configure the wireless component as being a removable wireless PCMCIA card for the purpose of enhancing the flexibility and functionality of the wireless device by enabling it to connect proximately or remotely via a cellular or
5 modem interface over any combination of air-links and land-lines.

Regarding claim 24, please see the 103 rejection of claim 23.

Conclusion

Any inquiry concerning this communication or earlier communications from the
10 examiner should be directed to Brian Jelinek whose telephone number is (703) 305-4724. The examiner can normally be reached on M-F 8:00 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on (703) 308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-
15 9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For
20 more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Brian Jelinek

8/3/2004

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A handwritten signature in black ink, appearing to read 'Andrew Christensen', with a long horizontal line extending to the right.

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

VLS:JWS

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